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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/018,552	12/20/2001	Toyoaki Kitano	1163-0377P	4703
2292	7590	09/22/2004	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			LIEU, JULIE BICHNGOC	
			ART UNIT	PAPER NUMBER
			2636	

DATE MAILED: 09/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/018,552

Applicant(s)

KITANO ET AL.

Examiner

Julie Lieu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4-9, 12, and 14-15 is/are allowed.
- 6) ☒ Claim(s) 1-3, 10, 11, 13 and 16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is in response to Applicant's response filed July 12, 04. Claims 1, 4, 10, 12-14 and 16 have been amended.

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3, 10, 11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Masahiro (JP 86638).

Claim 1:

Masahiro discloses device installation apparatus for a mobile body comprising:

a. An installing means, storage 5, which is provided in a position in the middle of two columns of vehicle seats, and is able to disposed therein a desired device (fig. 5)

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- b. A guide means, rail 4, for movable guiding the installing means along the longitudinal direction of the mobile body.

The reference fails to show the driver and the assistant's driver seats. However, it would have been obvious to one skilled in the art that the position of the device in Masahiro is sandwiched between the driver and the driver's assistant seats because it is located in the middle of the two columns of the vehicle passenger seats.

The device received in the storage 5 is a television. Though there is no operation means for the television shown in the reference, it would have been obvious to one skilled to use a television with operating means (e.g. on/off button, volume control button, channel selection buttons, etc...) because a television with operation means is conventional in the art to allow user to operate the television as desired.

Claim 2:

The guide means 4 comprises a plurality of engaging portion for engaging the installing means at a plurality of the predetermined different positions, and wherein, when the installing means is moved based on guiding by the guide means, the installing means being engaged with anyone of the plurality of engaging portions. That is, the engaging portions are at infinite positions along the rail.

Claim 3:

The engaging portions are at infinite positions along the rail 4 and are provided in the guide means such that engaging portions correspond to positions of seats disposed in the mobile body.

Claim 10:

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Masahiro discloses device installation apparatus for a mobile body comprising:

- a. An installing means, storage 5, which is provided in a position in the middle of two columns of vehicle seats, and is able to be disposed therein a desired device 1 (fig. 5)
- b. A guide means, rail 4, for movable guiding the installing means along the longitudinal direction of the mobile body.
- c. The device, television receiver 1 to be installed inside the installing means is at least one of an audio device for outputting audible information and an image reproducing device for outputting visual information.

The reference fails to show the driver and the assistant's driver seats. However, it would have been obvious to one skilled in the art that the position of the device in Masahiro is sandwiched between the driver and the driver's assistant seats because it is located in the middle of the two columns of the vehicle passenger seats.

Claim 11:

The installing means in Masahiro comprises a display means for displaying visual information to be outputted by the image reproducing device.

Claim 12:

Masahiro discloses device installation apparatus for a mobile body comprising:

- a. An installing means, storage 5, which is provided in a position in the middle of two columns of vehicle seats, and is able to be disposed therein a desired device (fig. 5)
- b. A guide means, rail 4, for movable guiding the installing means along the longitudinal direction of the mobile body. The installing means 5 and the guide means 4 are disposed on a roof portion within the mobile body.

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The reference fails to show the driver and the assistant's driver seats. However, it would have been obvious to one skilled in the art that the position of the device in Masahiro is sandwiched between the driver and the driver's assistant seats because it is located in the middle of the two columns of the vehicle passenger seats.

Claim 13:

Masahiro discloses device installation apparatus for a mobile body comprising:

- a. An installing means, storage 5, which is provided in a position in the middle of two columns of vehicle seats, and is able to be disposed therein a desired device (fig. 5)
- b. A guide means, rail 4, for movable guiding the installing means along the longitudinal direction of the mobile body. The installing means 5 and the guide means 4 are disposed on a roof portion within the mobile body.
- c. The installing means and the guide means in Masahiro is disposed on a roof portion within the mobile body.

The reference fails to show the driver and the assistant's driver seats. However, it would have been obvious to one skilled in the art that the position of the device in Masahiro is sandwiched between the driver and the driver's assistant seats because it is located in the middle of the two columns of the vehicle passenger seats.

Claim 16:

Masahiro discloses a device installation apparatus for a mobile body comprising:

- a. A console box (housing for television receiver) (fig. 3) in a position sandwiched between a pluralities of seats within the mobile body, wherein the console box installs at least one desired device (television receiver)

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- b. A guide rail 4 to engage the console box in the mobile body, such that the console box moves in longitudinal direction within the mobile body along the guide rail.

Masahiro discloses device installation apparatus for a mobile body comprising:

- c. An installing means, storage 5, which is provided in a position in the middle of two columns of vehicle seats, and is able to disposed therein a desired device (fig. 5)
- d. A guide means, rail 4, for movable guiding the installing means along the longitudinal direction of the mobile body.

The device received in the storage 5 is a television. Though there is no operation means for the television shown in the reference, it would have been obvious to one skilled to use a television with operating means (e.g. on/off button, volume control button, channel selection buttons, etc...) because a television with operation means is conventional in the art to allow user to operate the television as desired.

Allowable Subject Matter

- 5. Claims 4-9, 12, and 14-15 are allowed.

Remarks

- 6. Applicant's arguments filed 7/12/04 have been considered but are moot in view of the new ground(s) of rejection.

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Regarding the applicant's assertion that Masahiro fails to teach operating means for the device, the rejection of claims 1 and 16 is the response to this argument.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julie Lieu whose telephone number is 571-272-2978. The examiner can normally be reached on Mon-Fri 9AM-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Hofsass can be reached on 571-272-2981. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Julie Lieu
Primary Examiner
Art Unit 2636

Sept. 15, 04